



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Ordinance No. 1746 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 17, Zoning, by Adding Chapter 17.58, Design Standards for Large Retail Establishments"

MEETING DATE: April 7, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1746.


BACKGROUND INFORMATION: Ordinance No. 1746 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 17, Zoning, by Adding Chapter 17.58, Design Standards for Large Retail Establishments" was introduced at the regular City Council meeting of **March 17, 2004**.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the Interim City Attorney.

FUNDING: None required.


Susan J. Blackston
City Clerk

SJB/JMP
Attachment

APPROVED: _____
H. Dixon Flynn, City Manager

AGENDA ITEM J-02



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FUNDING: None required.

Susan J. Blackston
City Clerk

SJB/JMP
Attachment

APPROVED:
H. Dixon Flynn, City Manager

ORDINANCE NO. 1746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LODI AMENDING LODI MUNICIPAL CODE TITLE 17 -
ZONING BY ADDING CHAPTER 17.58 DESIGN
STANDARDS FOR LARGE RETAIL ESTABLISHMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 17 – "Zoning" is hereby amended by adding Chapter 17.58, "Design Standards for Large Retail Establishments," to read as follows:

Chapter 17.58

DESIGN STANDARDS FOR LARGE RETAIL ESTABLISHMENTS

Sections:

- 17.58.010 – Purpose
- 17.58.020 – Applicability
- 17.58.022 – Variances
- 17.58.030 – Facades and Exterior Walls
- 17.58.040 – Smaller Retail Stores
- 17.58.050 – Detail Features
- 17.58.060 – Roofs
- 17.58.070 – Materials and Colors
- 17.58.080 – Entryways
- 17.58.090 – Back and Side Facades
- 17.58.100 – Entrances
- 17.58.110 – Off-Street Parking Areas
- 17.58.120 – Back Sides
- 17.58.130 – Outdoor Storage, Trash Collection, and Loading Areas
- 17.58.140 – Pedestrian and Bicycle Flows
- 17.58.150 – Central Features and Community Spaces
- 17.58.160 – Delivery/Loading Operations

Design Standards for Large Retail Establishments

17.58.010 – Purpose

The City of Lodi adopted this ordinance on large retail developments - "superstores" - to provide the community with clear and enforceable policies to mitigate visual impacts. These guidelines provide the opportunity to set standards for future developments to ensure that future development fits with the expectations and meets the needs of the community.

These standards and guidelines are a response to dissatisfaction with corporate chain marketing strategy dictating design that is indifferent to local identity and interests. The main goal is to encourage development that contributes to Lodi as a unique place by reflecting its physical character and adding to it in appropriate ways.

Large retail developments depend on high visibility from major public streets. In turn, their design determines much of the character and attractiveness of major streetscapes in the city. The marketing interests of many corporations, even with strong image making design by professional designers, can be potentially detrimental to community aspirations and sense of place when they result in massive individual developments that do not contribute to or integrate with the city in a positive way.

Lodi already has a development review system that promotes solutions to these general issues. The purpose of these standards and guidelines is to augment those existing criteria with more specific interpretations that apply to the design of large retail store developments.

These standards and guidelines require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts. The standards are by no means intended to limit creativity; it is the City's hope that they will serve as a useful tool for design professionals engaged in site-specific design in context. They are placed within the framework of the Zoning Ordinance, which provides for variance from the requirements if the proposal is equal to or better than the City's requirements.

17.58.020 – Applicability

The following standards and guidelines are intended to be used as a design aid by developers proposing large retail developments in community regional shopping centers or as uses-by-right; and as an evaluation tool by the City staff, Planning Commission, and Site Plan and Architectural Review Committee in their review processes. These standards and guidelines apply to all retail establishments of more than 25,000 square feet.

The "Intent" is provided in order to educate planners, design consultants, developers and City staff about the design objectives while the "Standards" are mandatory. The intent and standards are to be used in conjunction with all development criteria of the Lodi Municipal Code.

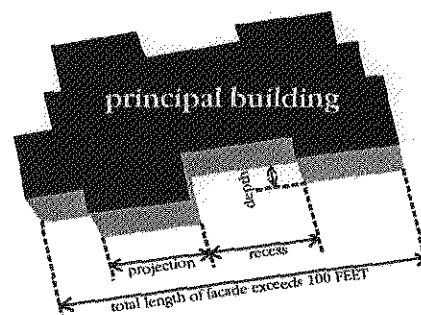
17.58.022 – Variances

The Planning Commission is empowered to grant variances to the mandatory standards under the circumstances provided by the California Government Code.

17.58.030 – Facades and Exterior Walls

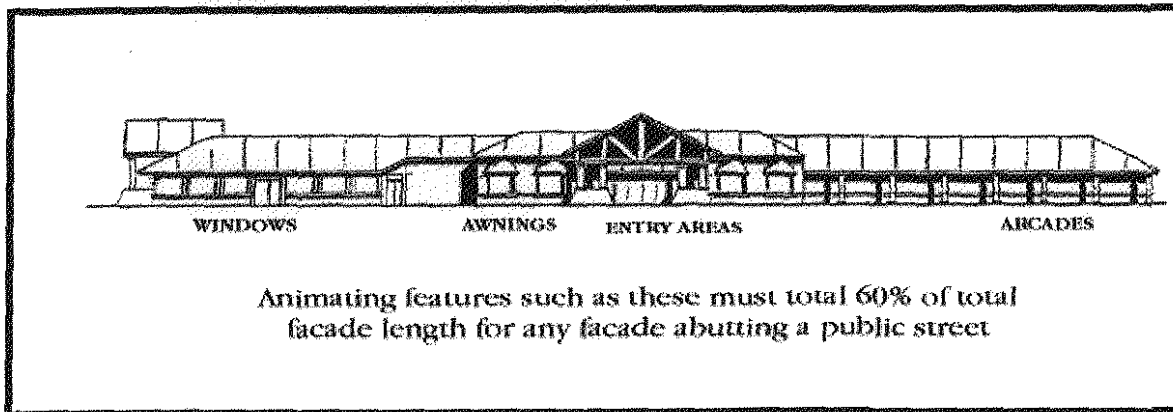
17.58.031 – Intent:

Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large retail buildings and provide visual interest that will be consistent with the community's identity, character and scale. This is to encourage a more human scale that Lodi residents will be able to identify with their community.



17.58.032 Standards:

- A. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20 percent of the length of the facade. No uninterrupted length of any façade shall exceed 100 horizontal feet.
- B. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.



17.58.040 – Smaller Retail Stores

17.58.041 – Intent:

The presence of smaller retail stores gives a center a "friendlier" appearance by creating variety, breaking up large expanses, and expanding the range of the site's activities. Windows and window displays of such stores should be used to contribute to the visual interest of exterior facades. The standards presented in this section are directed toward those situations where additional, smaller stores, with separate, exterior customer entrances are located in principal buildings.

17.58.042 – Standard:

Where principal buildings contain additional, separately owned stores which occupy less than twenty five thousand (25,000) square feet of gross floor area, with separate, exterior customer entrances:

- A. The street level facade of such stores shall have storefront windows between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.
- B. Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.

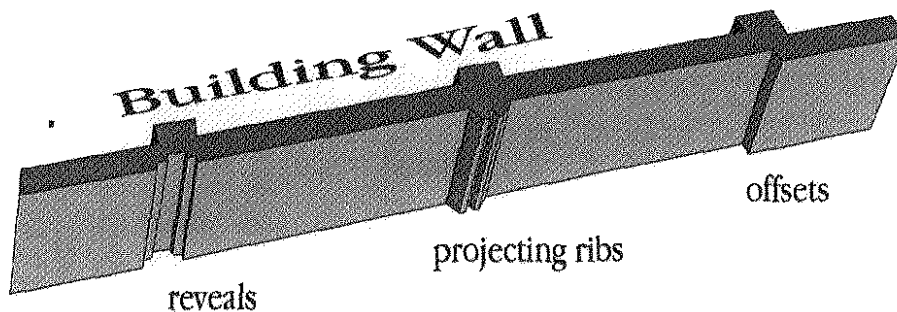
17.58.050 – Detail Features

17.58.051 – Intent:

Buildings should have architectural features and patterns that provide visual interest at the scale of the pedestrian, reduce massive aesthetic effects, and recognize local character. The elements in the following standard should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint.

17.58.052 – Standard

- A. Building facades must include a repeating pattern that shall include no less than three of the elements listed below:
1. Color change.
 2. Texture change.
 3. Material module change.
 4. Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.



structural bay layout

- B. At least one of these elements shall repeat horizontally.
- C. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

17.58.060 – Roofs

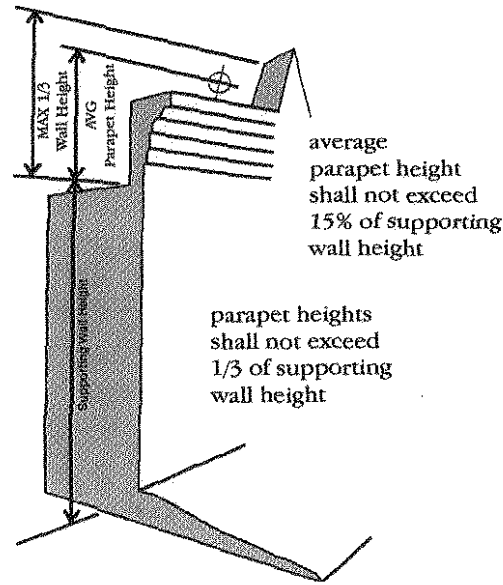
17.58.061 – Intent:

Variations in roof lines should be used to add interest to, and reduce the massive scale of, large buildings. Roof features should complement the character of adjoining neighborhoods.

17.58.062 – Standard:

Roofs shall have no less than two of the following features:

- A. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment.
- B. Overhanging eaves, extending no less than 3 feet past the supporting walls.
- C. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 1 foot of vertical rise for every 3 feet of horizontal run and less than or equal to 1 foot of vertical rise for every 1 foot of horizontal run.
- D. Three or more roof slope planes.



17.58.070 – Materials and Colors

17.58.071 – Intent:

Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.

17.58.072 – Standard:

- A. Predominant exterior building materials shall be high quality materials. These include, without limitation:
 - 1. clay brick
 - 2. wood
 - 3. rock or other native stone
 - 4. stucco, of varied finishes
 - 5. tinted, textured, concrete masonry units
- B. Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
- C. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
- D. Predominant exterior building materials shall not include the following:
 - 1. smooth-faced concrete block
 - 2. smooth finished tilt-up concrete panels
 - 3. pre-fabricated steel panels, except as an architectural roofing material

17.58.080 – Building Entryways

17.58.081 – Intent:

Entryway design elements and variations should give orientation making them easy to identify both day and night as well as providing aesthetically pleasing character to the building. The standards identify desirable entryway design features.

17.58.082 – Standard:

- A. Each principal building on a site shall have clearly defined, highly visible customer entrances utilizing no less than three of the following to become the most prominent features:
 - 1. canopies or porticos
 - 2. overhangs
 - 3. recesses/projections
 - 4. arcades
 - 5. raised corniced parapets over the door
 - 6. peaked roof forms (e.g. gable or hip)
 - 7. arches
 - 8. outdoor patios
 - 9. display windows
 - 10. architectural details such as tile work and moldings which are integrated into the building structure and design
 - 11. integral planters or wing walls that incorporate landscaped areas and/or places for sitting
- B. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance, which shall conform to the above requirements.

17.58.090 – Back and Side Facades

17.58.091 – Intent:

All facades of a building which are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to the front facade.

17.58.091 – Standards:

All building facades which are visible from adjoining properties and/or public streets shall comply with the requirements of, Section 17.58.030 of these Design Standards and Guidelines.

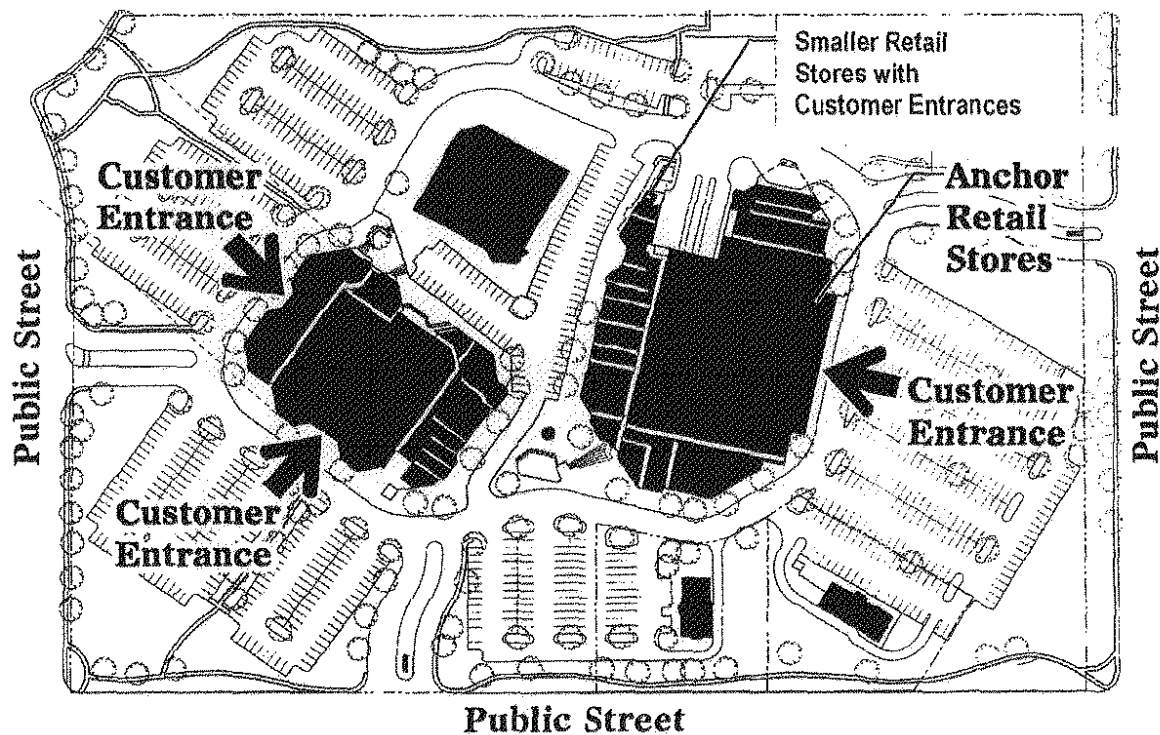
17.58.100 – Pedestrian Entrances

17.58.101 – Intent:

Large retail buildings should feature multiple entrances, which reduce walking distances from parking areas and public sidewalks, and provide convenient access to individual stores, or departments within a store. Multiple entrances can also mitigate the effect of uninterrupted walls and neglected areas that are often facing bordering land uses.

17.58.102 – Standard:

- A. All sides of a principal building that face an abutting public street shall feature at least one customer entrance. Where a principal building faces more than two public streets, this requirement shall only apply to two sides of the building; the side facing the primary street, and another side facing a second street. Movie theatres are exempt from this requirement.



17.58.110 – Off-Street Parking Areas

17.58.111 – Intent:

Parking areas should provide safe, convenient, and efficient access. Parking should be distributed around large buildings in order to shorten the distances between buildings and public sidewalks, and reduce the visual impact of one large paved surface. With buildings located closer to streets, the scale of the complex is reduced, walking is encouraged, and architectural details take on added importance.

Covering the ground with asphalt has several long-term environmental impacts including excessive storm water run-off during the winter and tremendous increases in the ambient heat radiated by the asphalt. In order to provide adequate parking while practicing good stewardship of resources, the City has established a minimum and maximum range of off-street parking for large retail operations.

17.58.112 – Standard:

- A. No more than sixty (60) percent of the off-street parking area for the lot, tract or area of land devoted to the large retail establishment shall be located between the front facade of the large retail establishment and the abutting streets (the "Front Parking Area. The front parking area shall be determined by drawing a line from the front corners of the building, parallel with the building sides, straight to the public street forming a 90 degree angle with the front façade.
- B. Parking spaces in the Front Parking Area shall be counted to include all parking spaces within the boundaries of the Front Parking Area, including:
 - (i) all partial parking spaces if the part inside the Front Parking Area boundary lines constitutes more than one-half (½) of the parking space, and
 - (ii) all parking spaces associated with any pad sites located within the Front Parking Area boundaries.
- C. The minimum number of off-street parking spaces to be provided by a large-scale retail operation shall be 2 spaces for every 1,000 square feet of building space. The maximum number of off-street parking spaces shall not exceed five (5) spaces for every 1,000 square feet of building space.

For phased developments, parking areas shall only be constructed when the adjoining building for which the parking is required is built.

Additional parking stalls, beyond the maximums provided, may be allowed when developed in a multi-level structure with Planning Commission approval.

D. Parking lot light poles shall not exceed a height of 25 feet.

E. Landscaping in parking areas shall incorporate such material, as necessary, in order to achieve a minimum 50% shading requirement within 5 years of planting.

17.58.120 – Back Sides

17.58.121 – Intent:

The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts.

17.58.122 – Standard:

- A. The minimum setback for any building facade shall be thirty-five (35) feet from the nearest property line.
- B. Where the façade of a large scale retail building faces a public street that is adjacent to an existing or planned residential zone boundary or uses, an earthen berm no less than 6 feet in height, containing evergreen trees planted at intervals of 20 feet on center, or the equivalent in clusters, shall be provided.
- C. Garbage receptacles shall be constructed of solid textured masonry material with a decorative masonry cap. The gates frames shall be constructed of heavy gauge steel and provided with a solid opaque finish. Enclosures shall be provided with a cover such that storm water run-off from the enclosure is minimized.

17.58.130 – Outdoor Storage, Trash Collection, and Loading Areas

17.58.131 – Intent:

Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

17.58.132 – Standard:

- A. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from abutting streets.
- B. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public street, public sidewalk, or internal pedestrian way.

- C. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.
- D. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with landscaping, walls and/or fences. Materials, colors, and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the building.

17.58.140 – Pedestrian and bicycle Flows

17.58.141 – Intent:

Pedestrian and bicycle accessibility opens auto-oriented developments to the neighborhood, reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal circulation systems that can provide user-friendly access as well as pedestrian safety, shelter, and convenience within the center grounds.

17.58.142 – Standard:

- A. Sidewalks at least 8 feet in width shall be provided along all sides of the lot that abut a public street.
- B. Continuous internal pedestrian walkways, no less than 8 feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.
- C. Sidewalks, no less than 8 feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. A minimum six (6) foot wide landscaped area shall be provided adjacent to the sidewalk, except where features such as arcades or entry ways are part of the façade.
- D. Internal pedestrian walkways provided in conformance with Part (b.) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.

- E. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Traffic calming measures shall be incorporated where pedestrian walkways intersect with drive aisles.
- F. Bicycle circulation shall be separated from vehicular traffic and shall be provided from each public street access to bicycle parking areas required throughout the site.

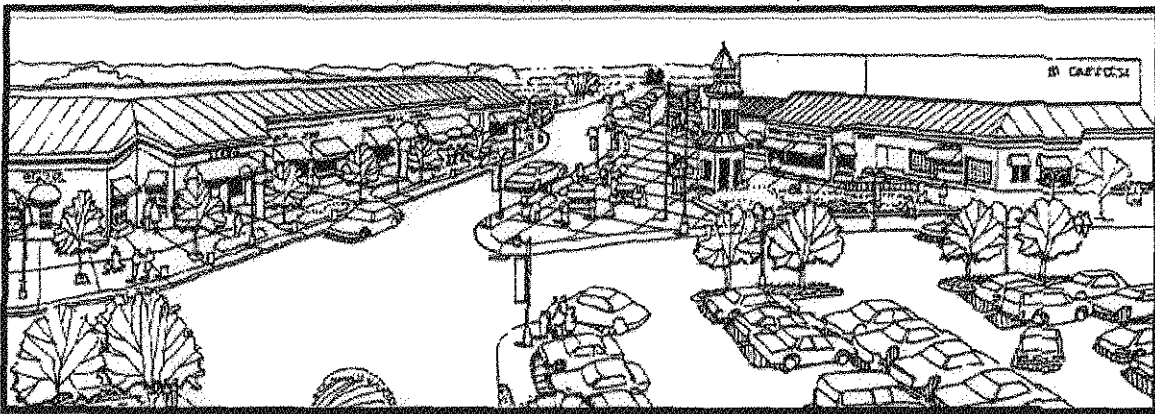
17.58.150 – Central Features and Community Spaces

17.58.151 – Intent:

Buildings should offer attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Pedestrian ways should be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window shopping areas. The features and spaces should enhance the building and the center as integral parts of the community fabric.

17.58.152 – Standard:

- A. Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Planning Commission, adequately enhances such community and public spaces.
- B. All such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.



Example of a center with numerous special features and community spaces.

17.58.160 – Delivery/Loading Operations

17.58.161 – Intent:

Delivery and loading operations should not disturb adjoining neighborhoods, or other uses.

17.58.162 – Standard:

- A. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 60 db, as measured at the lot line of any adjoining property.
- B. Delivery trucks shall not be allowed to remain running in an idle state during loading and unloading activities.

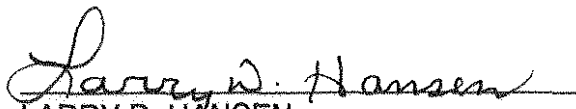
SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

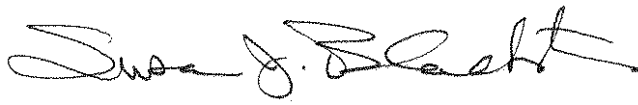
SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this 7th day of April, 2004


LARRY D. HANSEN
Mayor

Attest:


SUSAN J. BLACKSTON
City Clerk

=====

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1746 was introduced at a regular meeting of the City Council of the City of Lodi held March 17, 2004, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 7, 2004, by the following vote:

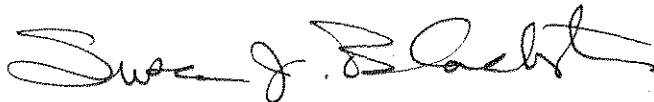
AYES: COUNCIL MEMBERS – Beckman, Howard, Land, and
Mayor Hansen

NOES; COUNCIL MEMBERS – Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1746 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



SUSAN J. BLACKSTON
City Clerk

Approved as to Form:



D. STEPHEN SCHWABAUER
Interim City Attorney